

January 26, 2009

Ms. Laura Sinram
Senior Campaign Finance Analyst
Federal Election Commission
999 E Street NW
Washington, DC 20463

Dear Ms. Sinram:

The National Republican Congressional Committee (FEC ID# C0075820) is in receipt of your Request for Additional Information dated December 24, 2008 regarding our 2008 October monthly FEC report.

The primary donations to Committee to Elect Sydney Hay to Congress, David Schweikert for Congress, Jeb Bradley for Congress, and Jennifer Horn for Congress were debt retirement contributions. All four committees filed a third quarter report (the next report following the date these donations were made) reflecting substantial remaining debt. Therefore, these were permissible primary debt retirement donations.

The Committee is requesting refunds in the amounts of \$ 3,000 from the Committee to Re-Elect Congressman Dana Rohrabacher, and \$ 1,175 from Schmidt for Congress.

Your letter indicates that the Committee disclosed both independent and coordinated expenditures for the same candidates. The Committee complied with all rules and regulations regarding independent expenditures. Committee staff working on independent expenditures are not permitted to have contact about their work with the campaigns, regular Committee staff, or Committee leadership. The filings are correct as filed and meet the standard established by the Commission and the courts.

The Committee is filing today an amended October 2008 monthly report to reflect the same aggregate general election expenditure totals on Schedule F for Richard Goddard, Darren White, and Lou Barletta as those referenced in your letter.

The line 15 receipts referenced in your letter from Friends of John Boehner, Friends of Dave Reichert, Hayes for Congress, Heller for Congress and Musgrave for Congress result not from expenditures to these entities, but from payments made to Whitaker Askew, John DeStefano, and Kevin McGrann.

The line 15 receipt from Chubb and Son was a court-ordered payment from an Excess Casualty Fund as a result of excessive casualty withholdings by Marsh & McLennan for an audited timeframe ending September 30, 2004. The receipt from Elavon (formerly NOVA) was from an excessive withholding by NOVA on 8/31/08 (payment amount was \$ 24,793.45).

The Committee believes its procedures are in compliance with the best efforts provisions cited in your letter, and has outlined its procedures in its responses to several previous RFAs. The amendment filed today reflects any additional donor information received subsequent to the original filing.

With respect to the information that is provided by the donors, the regulations cited in your letter require that we ask contributors to supply employer/occupation information, but do not compel the contributors to comply with the Committee's requests. The Committee has reported all the information it has in its possession in an attempt to satisfy both the intent and the substance of 11 CFR 100.12, 11 CFR 104.3, and 11 CFR 104.7. In addition, the Committee can find

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no guidance in the statute or regulations that allow it to add to or subtract from information that is voluntarily provided to it from its contributors, nor is there any indication in the statute or regulations that the descriptions referred to are inadequate listings for employer and/or occupation. In addition, the Committee notes that it updates its employer/occupation data as it is received from donors.

The Committee reported on Schedule E disbursements to Majority Strategies, Mentzer Media Services, Inc., and Stevens Reed Curcio and Potholm as of the date of the expenditures. Once the expenditures qualified by date of dissemination as an independent expenditure, the required 48-hour notice was then filed within the appropriate timeframe. Therefore, no amendment is necessary with respect to these disbursements.

The payments referenced in your letter for Catering, Fundraising Phone Calls, Direct Mail Expense, Message Phone Calls, Photography Svc, Postage, Printing, Printing/Postage, and Staging were operating and administrative payments solely benefiting and on behalf of the National Republican Congressional Committee. As such, they were not made on behalf of any specifically identified federal candidates, nor did they constitute public communications or voter drive activity containing express advocacy. Therefore, these disbursements are as you noted correctly reported on Schedule B for Line 21b, and do not require a Schedule B, Schedule E, or Schedule F for lines 23, 24 or 25.

Sincerely:

Keith A. Davis, Treasurer
National Republican Congressional Committee
